



Overview

The City of Casa Grande Subdivision Ordinance (16.12.310) governs the vacation of public lands. The vacation of a final plat is an official action taken by the City Council that destroys the force and effect of the recording of a final subdivision plat. The vacation of public lands procedure is as follows:

16.12.310 Vacating Prior Recorded Final Plats and/or Public Right of Way and Easements.

A. Any plat may be vacated by the owners or proprietors thereof at any time before sale of any lots, or before any substantial improvements have been made in the subdivision, by **submitting a copy of the plat** to the city council along with a **written request for a vacation**. In cases where lots have been sold, the written request shall be by all of the owners of lots within the plat. The planning and zoning commission shall make a recommendation on the vacation to the city council, and the city council shall approve or disapprove the vacation. The recording of an instrument vacating the plat shall operate to destroy the force and effect of the recording of the original plat and to divest all public rights in the streets, alleys, common and public grounds laid out or described in such a plat.

B. Streets and alleys platted and laid out under the provisions of these regulations or laid out under any prior law of the state of Arizona may be altered or vacated in the manner provided by law for the alteration or discontinuance of streets and highways.

C. Any part of a plat may be vacated under the provisions and subject to the conditions of this section and Section 16.12.110, provided such vacating does not abridge or destroy any of the rights and privileges of other proprietors in said plat and provided, further, that nothing contained in this section shall authorize the closing or obstruction of any public highways laid out according to law. The request for vacation shall be made by all of the owners of lots within that portion of the overall plat sought to be vacated.

D. When any part of a plat shall be vacated as aforesaid, streets, alleys, and other public grounds shall be assigned to all lots or parcels adjacent to the public area being vacated in equal proportions.

E. The county clerk shall write in plain, legible letters across that part of said plat so vacated, the word "vacated" and also make reference on the same to the volume and page in which said instrument of vacation is recorded.

F. Land covered by a vacated plat may be re-platted as described in these regulations. Any re-platting of an area already platted and not vacated shall be construed to be a request for the vacation of the original plat or portion thereof. Any such plat, once approved and recorded, shall act to vacate the original plat which it replaces.

Pre-Application Process

Prior to the submittal of a Final Plat Vacation Application the applicant is required to hold a Pre-Application meeting with the Planner to review the application submittal requirements, processing steps and timelines.

Submittal Package

Each application for (16.12.130) vacation of a final plat shall be accompanied by the following plan that will be reviewed by City Staff, Planning and Zoning Commission and the City Council:

- 1) **Copy of the recorded Final Plat** to be vacated with the area of vacation clearly delineated.
- 2) **Title Report (16.12.190)**



Public Notice

- 1) Notice of the Paper- City staff will prepare the Notice of Public Hearing.
- 2) Sign Posting- The applicant must post a Notice of Public Hearing Sign at least fifteen (15) calendar days prior to the date of the public hearing. City Staff will provide the applicant with sign posting instructions 21 days prior to the hearing. *Said sign must be removed from the site no later than 10 days after the last applicable public hearing. The City offers a sign removal service for a fee (if desired check the box below). For additional public notice sign posting instructions go to (<http://casagrandeaz.gov/dept/planning/planning-division/public-process/>)*
- 3) Notice to Property Owners - City Staff will prepare and mail all required notices to surrounding property owners.

Fees

Final Plat Vacation- \$200

Technology Recovery Fee: 5% of Review Fee



Completeness Review Intake Checklist

Planner

- 1) Notarized Owner Signature _____
- 2) Project Narrative _____
- 3) Title Report _____
- 4) Vacation Plat _____
 - (2 copies – (24” x 36”) folded)
- 5) CD containing all submittal Documents _____
 - (1 CD with all documents in PDF format)
- 6) Application Fees _____

ITEMS TO SUBMIT PRIOR TO RECORDATION:

- 1) Signed Mylars (2 sets) o
- 2) Recording Fee (see Pinal County Recorder’s Office web site for consolidated list of fees) o



Over-All Review Time-Frames for Projects^{1,7,8}

Project Classification	Administrative Completeness Review (CR) of Initial Submittal ²	Review of Initial Submittal and Staff Decision to Approve or Issue a Review Letter ^{4,8}	CR Review of Re-Submittal	Review of Resubmittal ^{5,7,8} and Staff Decision to Approve/Deny	Over-All Review Timeframe ^{6,7,8}
Final Plat Vacation ⁹	5	30	5	30	70

¹All times are maximum timeframes in business days (Mon-Fri.; excluding City Holidays). Shorter review times will be accomplished where possible.

²Completeness Review timeframes are calculated from date of application submittal to date of acceptance or rejection of the application as administratively complete.

³Substantive Review timeframes are calculated from date of acceptance of application for Substantive Review, or upon receipt of re-submittal of revised plans/reports, to the date of issuance of a comprehensive review letter, or final administrative decision.

⁴ Review of initial submittal limited to determination of compliance with ordinances, codes, regulations or policy relevant to the specific permit or project application. The review comments on the initial submittal may be amended to address code/policy requirements that City staff failed to include in the 1st comprehensive review document.

⁵ Review of resubmittal shall be limited to:

- a) Addressing 1st review comments that the applicant failed to adequately address in their resubmittal; or
- b) Addressing new review issues arising from modifications the applicant has made to the design and/or technical reports. In this case the City may issue an additional review letter addressing the new design.

⁶Over-All Review timeframe is the sum of the Completeness, Initial & Resubmittal Substantive Review timeframes.

⁷ If an applicant requests significant changes, alterations, additions or amendments to an application that are not in response to the request for corrections, the City may make **one additional comprehensive written request for corrections (i.e., review of 2nd resubmittal)**. Said additional request for correction shall not exceed 50% of the Substantive Review time frame for the specific type of permit.

⁸The Substantive Review timeframe and the Overall Review timeframe may be extended by mutual consent of the applicant and the City. Said extension shall not exceed 50% of the Over-All timeframe.

⁹Indicates that the Project will require a public hearing and Board/Commission and/or City Council approval. For these Projects the Substantive Review period ends when staff schedules the application for the public hearing and Board/Commission/City Council action.



In accordance with the Regulatory Bill of Rights (ARS 9-835) the City of Casa Grande will typically make an administrative decision on each permit application after one (1) comprehensive staff review. However, from time to time a 2nd review is necessary to resolve code/policy compliance issues associated with a permit. In accordance with ARS 9-835.I., by mutual agreement, the applicant and the City may engage in a 2nd review of an application as long as said 2nd review does not exceed the over-all time frame by 50%. The specific 1st and 2nd and over-all review timeframes for this application are provided above. Applicants may sign below, consenting to a 2nd review if necessary, within the stated prescribed timeframe. Your consent is not required at time of application submittal. Applicants who do not sign below will be contacted by City staff if a 2nd review is determined to be necessary prior to making an administrative decision on this application. Applications denied after the completion of the review cycle are eligible for re-application to address the code/policy deficiencies which were the basis for the application denial with the payment of a fee equal to 25% of original application fee amount. Said re-application shall occur within 90 days of the application denial.

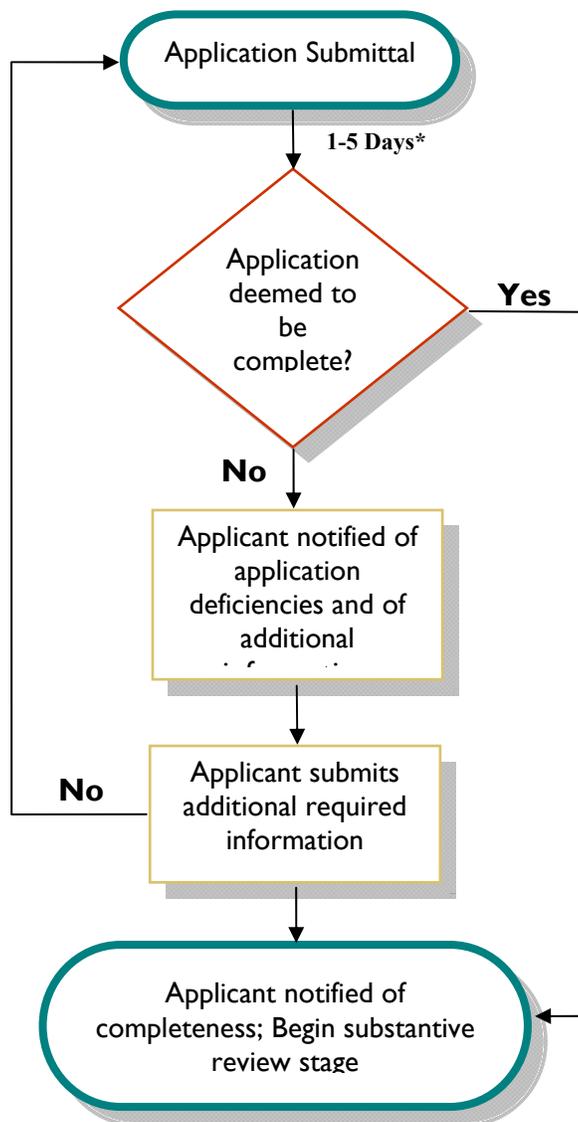
I hereby consent to an extension of the stated Substantive Review timeframe for a maximum of _____ additional days.

 Applicant

Agreed to by City



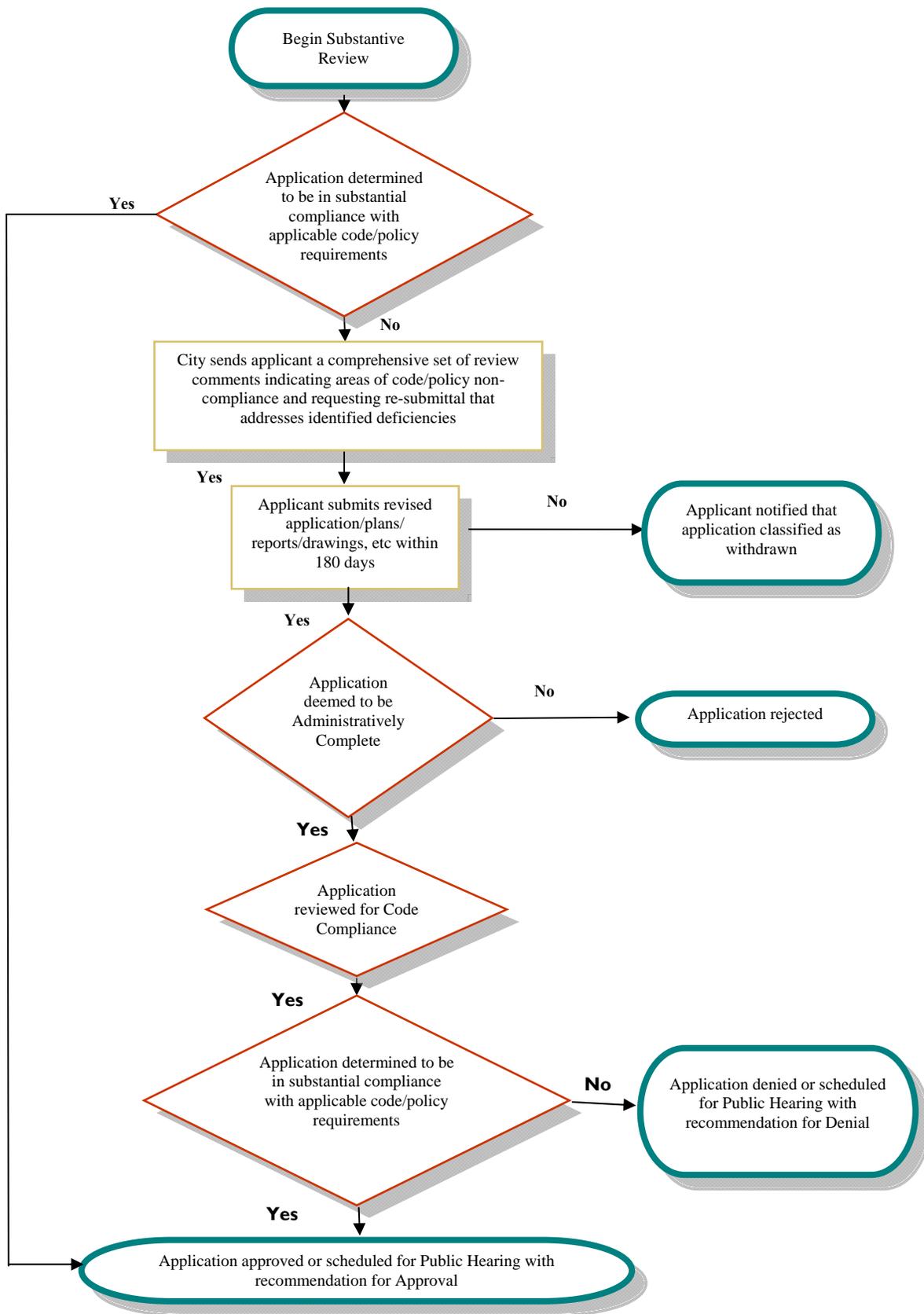
Administrative Completeness Review Process



** All time frames are listed as business days.*

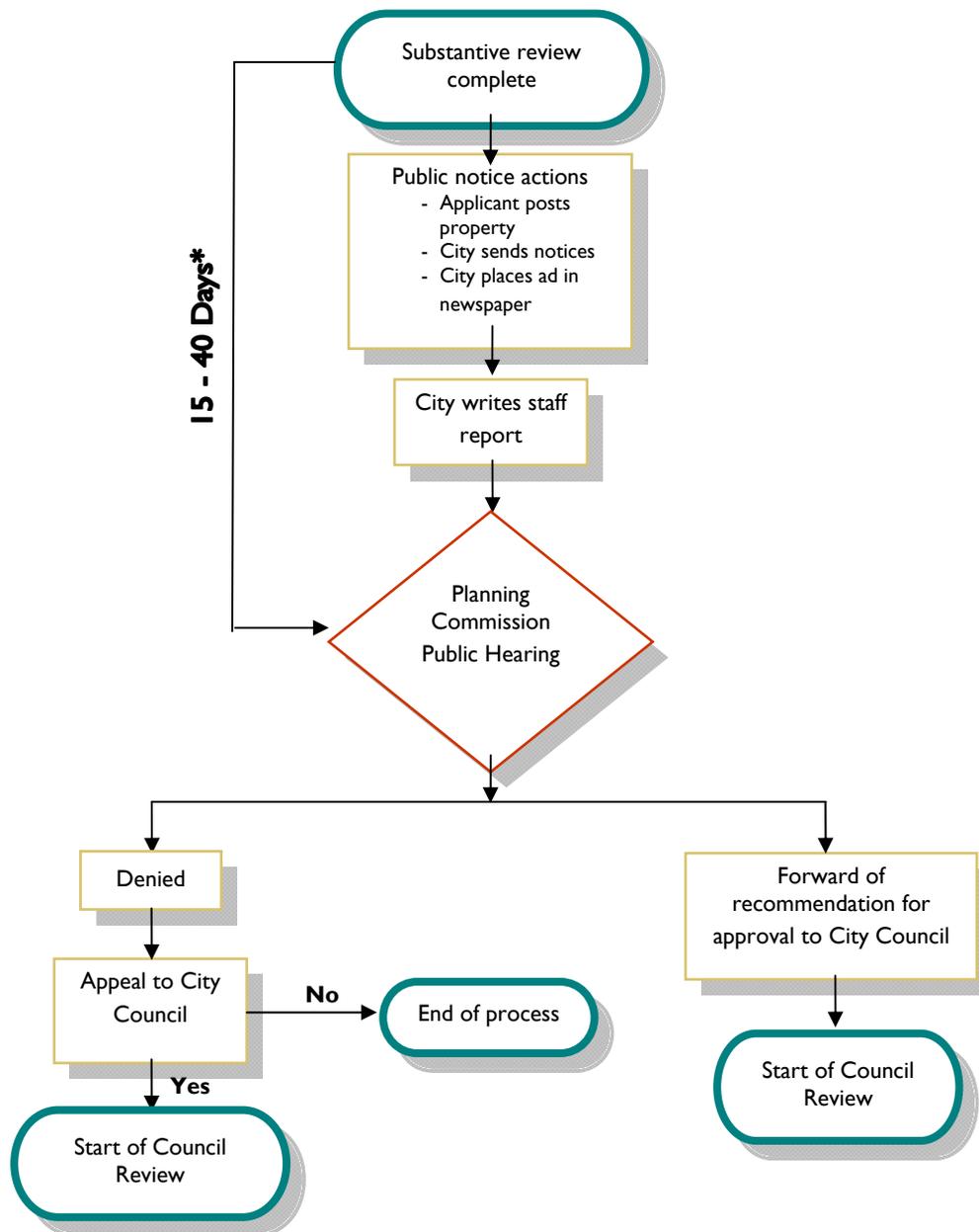


Substantive Review Process





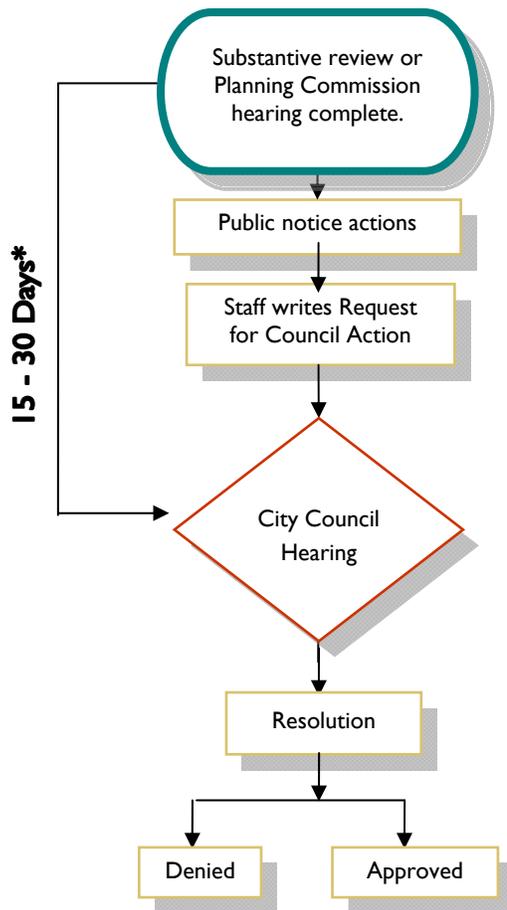
Planning Commission Public Hearing Process



* All times frames are listed as business days.



City Council Hearing Process



* All times frames are listed as business days.